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NEWS RELEASE

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Ninth Circuit to Visit Tucson for Special Sitting at University of Arizona

SAN FRANCISCO – The Ninth Circuit Court of Appeals will hold a special sitting Sept. 30 at the University of Arizona James E. Rogers College of Law in Tucson, Ariz. Oral arguments will begin at 10 a.m. in the Ares Auditorium. The law school is located at 1201 East Speedway, Tucson.

A three-judge panel will hear oral arguments in three appeals of lower court decisions. The panel consists of Circuit Judges Michael Daly Hawkins of Phoenix, Sidney R. Thomas of Billings, Mont., and M. Margaret McKeown of San Diego.

The special sitting coincides with a conference on appellate practice in the Ninth Circuit, hosted by the James E. Rogers College of Law. The conference will be held Sept. 30-Oct. 1 at the Marriott University Park Hotel. Participants include the judges sitting on the panel, Chief Judge Mary M. Schroeder of Phoenix, Circuit Judge Richard Tallman of Seattle and Clerk Cathy Catterson.

The cases to be heard during the special sitting are:

- 04-10281 *United States v. Nash* and 04-10293 *United States v. Acton*
In this consolidated case, Wendell Nash appeals his jury trial conviction for first degree murder, and Terry Lynn Acton appeals his jury trial conviction for second degree murder. Both defendants also were convicted of aiding and abetting in violation of 18 U.S.C. § 1153, 1111 and 2.
- 04-15809 *Dahlstrand v. Security Title*
Lola Dahlstrand appeals the district court's summary judgment in her action under the Employee Retirement Income Security Act (ERISA) against Unum Life Insurance Co., which denied her claim for long term disability benefits. A former branch manager for Security Title Agency, Ms. Dahlstrand alleged she had become disabled in December 2000 from migraines, seizures, depression and insomnia. Unum denied the claim on the ground that she failed to provide medical evidence that she was unable to perform work in her occupation.

The Ninth Circuit Court of Appeals regularly hears cases in San Francisco, Pasadena and Seattle, and also travels periodically to other cities within the circuit to hold court.

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